

## LEGISLATIVE BILL 220

Approved by the Governor May 29, 2019

Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Commission for the Blind and Visually Impaired Act; to amend sections 71-8607 and 71-8611, Reissue Revised Statutes of Nebraska; to adopt changes to federal law regarding vending facility programs; to change provisions relating to priority status for blind persons operating vending facilities on state property; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-8607, Reissue Revised Statutes of Nebraska, is amended to read:

71-8607 (1) The commission shall:

(a) Apply for, receive, and administer money from any state or federal agency to be used for purposes relating to blindness, including federal funds relating to vocational rehabilitation of blind persons as provided in subsection (1) of section 71-8610;

(b) Receive on behalf of the state any gifts, donations, or bequests from any source to be used in carrying out the purposes of the Commission for the Blind and Visually Impaired Act;

(c) Promote self-support of blind persons as provided in sections 71-8608, 71-8609, and 71-8611;

(d) Provide itinerant training of alternative skills of blindness, including, but not limited to, braille, the long white cane for independent travel, adaptive technology, and lifestyle maintenance;

(e) Establish, equip, and maintain a residential training center with qualified instructors for comprehensive prevocational training of eligible blind persons. The center shall also provide comprehensive independent living training as well as orientation and adjustment counseling for blind persons;

(f) Administer and operate a vending facility program in the state, in its capacity as the designated licensing agency pursuant to the federal Randolph-Sheppard Act, as the act existed on January 1, 2019 amended, 20 U.S.C. 107 et seq., for the benefit of blind persons;

(g) Contract for the purchase of information services for blind persons; and

(h) Perform other duties necessary to fulfill the purposes of the Commission for the Blind and Visually Impaired Act.

(2) The commission may perform educational services relating to blindness and may cooperate and consult with other public and private agencies relating to educational issues.

Sec. 2. Section 71-8611, Reissue Revised Statutes of Nebraska, is amended to read:

71-8611 For the purpose of providing blind persons with remunerative employment, enlarging the economic opportunities of blind persons, and stimulating blind persons to greater efforts in striving to make themselves self-supporting, the commission shall administer and operate vending facilities programs pursuant to the federal Randolph-Sheppard Act, as the act existed on January 1, 2019 amended, 20 U.S.C. 107 et seq. Blind persons licensed by the commission pursuant to its rules and regulations are authorized to operate vending facilities in any federally owned building or on any federally owned or controlled property, in any state-owned building or on any property owned or controlled by the state, or on any property owned or controlled by any county, city, or municipality with the approval of the local governing body, when, in the judgment of the director of the commission, such vending facilities may be properly and satisfactorily operated by blind persons. With respect to vending facilities in any state-owned building or on any property owned or controlled by the state, priority shall be given to blind persons, except that this shall not apply to the Game and Parks Commission or the University of Nebraska. If a blind person is selected to operate vending facilities in such building or on such property, he or she shall do so on a rent-free basis and offer products at prices comparable to similar products sold in similar buildings or on similar property. This priority shall only be given if the product price in the bid submitted is comparable in price to the product price in the other bids submitted for similar products sold in similar buildings or on similar property and all other components of the bid for a contract, except for any rent paid to the state, are found to be reasonably equivalent to the other bidders.

Sec. 3. Original sections 71-8607 and 71-8611, Reissue Revised Statutes of Nebraska, are repealed.